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CALIFORNIA PHYSICIANS' SERVICE dba BLUE
SHIELD OF CALIFORNIA, BLUE SHIELD OF
CALIFORNIA LIFE AND HEALTH INSURANCE
COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ARAM HOMAMPOUR, JOHN
BARTELS, and JON NAKA on behalf of
themselves and all others similarly situated,

Plaintiff,

v.

CALIFORNIA PHYSICIANS' SERVICE
dba BLUE SHIELD OF CALIFORNIA,
BLUE SHIELD OF CALIFORNIA LIFE
AND HEALTH INSURANCE
COMPANY,

Defendant.

No. 3:15-cv-05003-WHO

Hon. William H. Orrick

**STIPULATION AND ORDER TO
CONTINUE THE JUNE 14, 2016 INITIAL
CASE MANAGEMENT CONFERENCE
AND SET BRIEFING SCHEDULE ON
DEFENDANTS' MOTION TO DISMISS**

Case Management Conference

Date: June 14, 2016

Time: 2:00 p.m.

Trial Date: None set

Action filed: October 30, 2015

1 Plaintiffs Aram Homampour (“Homampour”), John Bartels (“Bartels”) and Jon Naka
 2 (“Naka”) (collectively “Plaintiffs”) and Defendants California Physicians’ Service dba Blue
 3 Shield of California (“Blue Shield of California”) and Blue Shield of California Life and Health
 4 Insurance Company (“Blue Shield Life”) (collectively “Defendants”) stipulate, pursuant to Civil
 5 Local Rule 6-2, as follows:

6 1. Plaintiff Homampour filed his Complaint against Blue Shield Life on October 30,
 7 2015 and served Blue Shield Life with the Complaint on November 13, 2015.

8 2. On November 2, 2015, this Court set an initial case management conference
 9 (“CMC”) for February 2, 2016 at 2:00 p.m.

10 3. On December 1, 2015, Plaintiff Homampour and Blue Shield Life filed a
 11 stipulation, pursuant to Local Rule 6-1(a), to extend the time for Blue Shield Life to respond to
 12 the initial Complaint, to and including January 8, 2016.

13 4. On December 31, 2015, Plaintiff Homampour and Blue Shield Life filed a
 14 stipulation to the filing of a First Amended Complaint (“FAC”) and to continue the initial case
 15 management conference. (Dkt. No. 14.) On January 4, 2016, the Court entered its Order on the
 16 stipulation. (Dkt. No. 15.) In the Order, the Court noted that, “[i]n the event [Blue Shield Life]
 17 moves to dismiss the FAC, the Court will entertain a stipulation to hold the Case Management
 18 Conference on the same date as the hearing on the motion.”

19 5. On January 15, 2016, Plaintiff Homampour filed his FAC, adding Plaintiff Bartels
 20 and Naka and Defendant Blue Shield of California. (Dkt. No. 16.)

21 6. On January 21, 2016, the parties filed a stipulation to further continue the initial
 22 case management conference to May 24, 2016, and to extend the time for Defendants to respond
 23 to the FAC until April 22, 2016. (Dkt. No. 21.) The Court entered its Order on the stipulation on
 24 January 25, 2016. (Dkt. No. 22.)

25 7. The Court thereafter advanced the Initial Case Management Conference to
 26 May 17, 2016. (Dkt. No. 23.)

8. On April 14, 2016, the parties filed a stipulation regarding Plaintiffs’ filing of a Second Amended Complaint (“SAC”) and continuing the case management conference to June 14, 2016. (Dkt. No. 24.) The Court entered its Order on the stipulation on April 29, 2016. (Dkt. No. 25.)

9. Plaintiffs filed their Second Amended Complaint on May 6, 2016. Pursuant to the parties' stipulation, Defendants' response to the Second Amended Complaint is due on May 27, 2016.

10. The parties met and conferred by telephone on May 23, 2016. Defendants informed Plaintiffs that they intend to file a motion to dismiss the Second Amended Complaint. The parties also discussed the upcoming initial case management conference.

11. The parties agreed that Defendants' motion to dismiss will be heard on Wednesday, August 10, 2016, at 2:00 p.m., or a date convenient to the Court. The parties also agreed on the following briefing schedule for Defendants' motion to dismiss: Plaintiffs' opposition will be due on July 13, 2016, and Defendants' reply will be due on July 27, 2016.

12. The parties also agreed that it would be in the interest of judicial economy to continue the June 14, 2016 case management conference to the August 10, 2016 hearing on the motion to dismiss.

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1 **SO STIPULATED.**

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3 Dated: May 26, 2016

MANATT, PHELPS & PHILLIPS, LLP

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5 By: /s/ Ileana M. Hernandez

6 Gregory Pimstone

7 John LeBlanc

8 Ileana M. Hernandez

9 Leah R. Adams

10 *Attorneys for Defendants*

CALIFORNIA PHYSICIANS' SERVICE

11 dba BLUE SHIELD OF CALIFORNIA,

12 BLUE SHIELD OF CALIFORNIA LIFE

13 AND HEALTH INSURANCE

14 COMPANY

15 Dated: May 26, 2016

KANTOR & KANTOR LLP

16 By: /s/ Timothy J. Rozelle

17 Glenn R. Kantor

18 Timothy J. Rozelle

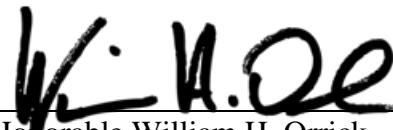
19 *Attorneys for Plaintiffs*

20 ARAM HOMAMPOUR, JOHN

21 BARTELS, and JON NAKA

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23 Dated: May 27, 2016

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Honorable William H. Orrick

United States District Judge